



October 10, 2011

Ms. Shin-Roei Lee
San Francisco Bay Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, California 94612

Subject: **Supplemental Submittal #2 for Section 401 Water Quality Certification for the 34th America's Cup/James T. Herman Cruise Terminal Project ("AC 34/CT Project"), San Francisco County**

Dear Ms. Lee:

Please find enclosed information to append the Water Quality Certification application for the AC 34/CT Project, originally submitted on June 28, 2011 and supplemented on September 15, 2011 ("Supplemental Submittal #1"). The enclosed information specifically tracks the Regional Water Quality Control Board's (the "RWQCB") July 22, 2011 request for additional information.

Supplemental Information Needed for a Valid Application

1. Comment 5: Block 15, Sections 3.1.1.1, Port of San Francisco Piers, Water Areas, and Other Facilities

The RWQCB requested additional information regarding the water and sewer utilities that will be proposed as part of the AC 34/CT Project, in particular, as associated with proposed team base operations at Piers 80 and 30-32, which may involve increased usage. Attachment A provides a detailed description regarding improvements proposed at Piers 80, 30-32 and 27-29, along with capacity forecasts and calculations for Pier 80. Below is a brief summary of these improvements.

- a. Pier 80: Water and sewer lines will be upgraded and/or replaced. See the attached for additional detail, which also includes an analysis of existing and necessary future capacities.
- b. Piers 30-32: A new water line and a new force main sewer lines will be installed as part of the Project.
- c. Pier 27-29: A new water line and a new force main sewer lines will be installed as part of the Project.

All of the pipeline construction will be designed to support forecasted capacities. Proposed increased usage will not lead to discharges of potable water or sewage.

2. Comment 6: Block 15, Section 3.3.1.3 of Attachment, Post-Construction Stormwater

We are in the process of completing draft outlines of two Stormwater Control Plans ("SCP"s), one for the AC 34 and another SCP outline for the Cruise Terminal Project. As requested, these SCPs will be designed to ensure that potential post-construction stormwater impacts will be minimized to the maximum extent practicable. We plan to complete and submit drafts of the SCP outlines by the end of this month.



3. *Comment 8: Block 15, Section 3.3.4 of Attachment, Invasive Species Impacts; and Block 16, Section 4.2.2 of Attachment, Avoidance of Invasive Species Impacts*

As stated in the Port's recent submittal on September 11, 2011, the Project Sponsor has established an AC 34 Invasive Species Task Force ("ISTF") to address the issue of Aquatic Invasive Species ("AIS") as it relates to the AC 34. In addition to the Project Sponsors, the ISTF is composed of expert agency members from the RWQCB, the San Francisco Estuary Project, the California Coastal Commission, the State Lands Commission, the USCG and California Boating and Waterways.

With the help of RWQCB staff and regional experts¹, we have completed the attached BMP guidelines (Attachment B) that will be made available to boaters who may attend the AC 34. In addition, the attached draft Dissemination Plan (Attachment C) describes how vessels associated with the AC 34 will be contacted, including spectator vessels from outside and around the SF Bay, and focuses on those categories of boats with the highest potential to introduce AIS.

In addition, the Project Sponsor is in the process of finalizing a draft Invasive Species Control Plan ("ISCP"), which will identify detailed BMPs that will be incorporated into the Project to avoid the spread of AIS during construction. The ISCP should be available by the end of this month.

4. *Comment 9: Block 16, Section 4 of Attachment, Avoidance of Impacts*

The Project Sponsor is in the process of completing the 404(b)(1) Alternatives Analysis for the AC 34/CT Project per the EPA's guidance (40 CFR 230 *et seq.*). This document should be available for review by the end of this month.

5. *Comment 10: Box 19, Section 6 of Attachment, Mitigation*

The Project Sponsor is also in the process of completing a detailed mitigation proposal for RWQCB review. As described in the Interagency Working Group ("TWG") meeting on September 27, 2011, the Project has been revised slightly to further reduce impacts from fill. We anticipate submitting a detailed description of the proposed adjustments to the Project along with a detailed proposal for mitigation. This description will include, at a minimum:

- Detailed description of the exact location proposed for fill impacts, along with details regarding fill removal methods and associated BMPs, as applicable;
- Detailed description of the specific LTMS studies that may be proposed to mitigate for necessary dredging associated with the Project;
- Detailed description of proposed mitigation for potential impacts to eelgrass beds that could be associated with the Project.

We anticipate submitting the mitigation proposal by the end of October 2011.

¹ These guidelines have been reviewed and edited by representatives from the State Lands Commission, the California Coastal Commission, the California Department of Fish and Game and the San Francisco Estuary Partnership. In addition, Ian Davidson, a research associate at the Aquatic Bioinvasion Research & Policy Institute who focuses almost exclusively in biofouling and AIS, has reviewed and provided guidance on the attached BMP guidelines.



6. Comment 11: Sections 2.1, 3.1.7, 4.2.4.1 of Attachment, Waste Management Plan

The Project Sponsor is in the process of completing a Waste Management Plan for the AC 34. This plan will be completed within the next month and will be posted for public comment as part of the CEQA process, as requested by the San Francisco Planning Department. We will submit a draft of the plan to you as soon as it becomes available.

7. Additional Measures to Support Coastal Conservation and Sustainability

While not included in the July 22, 2011 request for information, we would like to make you aware of the 34th America's Cup Races additional involvement with coastal conservation and/or sustainability programs.

One of the project objectives of AC34 is to emphasize natural resource stewardship by incorporating sustainability principles in the planning and management of all race events and operations. Accordingly, the event organizers have developed the America's Cup Sustainability Series, which raises awareness regarding the health of the world's oceans. During the 2012 and 2013 America's Cup events, the event organizers will plan conservation activities into the event program to generate awareness about the need for marine conservation and restoration efforts in San Francisco Bay. The event organizers for the AC34 World Series events in 2012 and AC34 2013 events plan to partner with local organizations where America's Cup teams and local volunteers would hold coastal conservation activities. Locations and dates for these events are to be determined. As part of the coastal conservation activities, the event organizers will feature an AC Sustainability Forum, where leaders in the field will discuss San Francisco Bay marine conservation and environmental stewardship during a panel discussion. Topics of discussion and speakers will be determined at a later date.

Summary

As described above, we anticipate submitting another supplemental package by the end of this month with additional information. Please do not hesitate to contact me at (415) 274-0256 or Jillian Blanchard at (415) 867-6769 with any questions regarding the above.

Thank you again for your continued assistance with this Project.

Very truly yours,


Kelley Capone

Enclosures (2 CD copies included for RWQCB staff)

cc: Bill Hurley, RWQCB
Xavier Fernandez, RWQCB
Rob Lawrence, USACE
Brad Benson, Port of San Francisco
John Craig, AC Race Management
Jillian Blanchard, Boudreau Associates